THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.19313 of 2006

Dated:18-10-2006

Between:

M. Vinod Kumar and another.

.....PETITIONER

AND

The Chief Manager, Andhra Bank, Bus Station Complex, Karimnagar and others.

....RESPONDENTS

THE HONOURABLE SRI JUSTICE N.V.RAMANA

W.P.No.19313 of 2006

ORDER:

The petitioners filed this writ petition with the following prayer:

"to declare the action of the respondents in not considering the case of petitioners for appointment in any suitable post in the respondents-Bank, on compassionate grounds, as illegal and arbitrary"

2. The case of the petitioners is that their father, namely M. Ram Das died in harness on 22.05.2000 while working as Security Guard in the 1st respondent-Bank. Thereafter, the petitioners and their mother submitted a representation dated 12.01.2001 requesting the 1st respondent-Bank to provide suitable post to any one of the petitioners on compassionate grounds. The 2nd respondent also addressed a letter dated 12-09-2005 to 1st respondent to send the representation of the petitioners for referring the matter to

3rd respondent for necessary action. Since no orders have been passed on the said representation, the petitioners filed another representation dated 19-04-2006 with similar request. Now, after lapse of several years, the respondents, instead of considering the case of the petitioners for compassionate appointment, are offering some ex-gratia benefits to them. Hence, the present petition is filed.

3. Heard the learned counsel for the petitioners and the

learned Standing Counsel for the respondents-Bank.

4. Learned counsel for the petitioners submits that the petitioners are entitled to compassionate appointment and that even though the 2nd respondent recommended the case of the petitioners for providing compassionate appointment, the 1st respondent-Bank is not considering their case.

5. On the other hand, learned Standing Counsel for the respondents submitted that at present, the scheme of compassionate appointment is dispensed, and in lieu of compassionate appointment they are paying ex-gratia benefits to the legal heirs of the deceased employees. He further submitted that though the petitioners were also directed to furnish certain information about their eligibility for payment of ex-gratia, vide letter dated 21-06-2006, they have not submitted any information till date.

6. At this stage, learned counsel for the petitioner sought for a direction to the 1st respondent for payment of ex-gratia benefits to the petitioners in lieu of compassionate appointment.

7. Since the petitioners were directed to furnish certain information about their eligibility for payment of ex-gratia in lieu of employment, and in view of the agreed stand taken by the counsel for the petitioner, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions:

The petitioners are directed to furnish necessary information, as sought for by the Assistant General Manager,

Andhra Bank, Karimnagar Branch, vide letter dated 21-06-2006, to the

1st respondent, and on such information being submitted, the 1st respondent shall process the papers and pay the monetary benefits in lieu of compassionate employment to the petitioners, which they are entitled to, in accordance with law, expeditiously, preferably within a period of three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

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N.V. RAMANA, J.

Dated:18-10-2006

sj/nsr